

OMB Control No.: 1902-0238.

*Type of Request:* Three-year extension of the FERC-729 information collection requirements with no changes to the reporting requirements.

*Abstract:* This information collection implements the Commission's mandates under EPA Act 2005 Section 1221 which authorizes the Commission to issue permits under FPA Section 216(b) for electric transmission facilities and the Commission's delegated responsibility to coordinate all other federal authorizations under FPA Section 216(h). The related FERC regulations seek to develop a timely review process for siting of proposed electric transmission facilities. The regulations provide for (among other things) an extensive pre-application process that will facilitate maximum participation from all interested entities and individuals to provide them with a reasonable opportunity to present their

views and recommendations, with respect to the need for and impact of the facilities, early in the planning stages of the proposed facilities as required under FPA Section 216(d).

Additionally, FERC has the authority to issue a permit to construct electric transmission facilities if a state has withheld approval for more than a year or has conditioned its approval in such a manner that it will not significantly reduce transmission congestion or is not economically feasible.<sup>1</sup> FERC envisions that, under certain circumstances, the Commission's review of the proposed facilities may take place after one year of the state's review. Under Section 50.6(e)(3) the Commission will not accept applications until one year after the state's review and then from applicants who can demonstrate that a state may withhold or condition approval of proposed facilities to such

an extent that the facilities will not be constructed.<sup>2</sup> In cases where FERC's jurisdiction rests on FPA section 216(b)(1)(C),<sup>3</sup> the pre-filing process should not commence until one year after the relevant State applications have been filed. This will give states one full year to process an application without any intervening Federal proceedings, including both the pre-filing and application processes. Once that year is complete, an applicant may seek to commence FERC's pre-filing process. Thereafter, once the pre-filing process is complete, the applicant may submit its application for a construction permit.

*Type of Respondents:* Electric transmission facilities.

*Estimate of Annual Burden:*<sup>4</sup> The Commission estimates the total Public Reporting Burden for this information collection as:

FERC-729—ELECTRIC TRANSMISSION FACILITIES

|  | Number of respondents | Number of responses per respondent | Total number of responses | Average burden hours per response | Estimated total annual burden |
|--|-----------------------|------------------------------------|---------------------------|-----------------------------------|-------------------------------|
|  | (A)                   | (B)                                | (A)×(B)=(C)               | (D)                               | (C)×(D)                       |
| Electric Transmission Facilities ..... | 1                     | 1                                  | 1                         | 9,600                             | 9,600                         |

The total estimated annual cost burden to respondents is \$662,492.31 [9,600 hours ÷ 2080<sup>5</sup> hours per year = 4.61538 \* \$143,540/year<sup>6</sup> = \$662,492.31]

*Comments:* Comments are invited on: (1) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden and cost of the collection of information, including the validity of the methodology and assumptions used; (3) ways to enhance the quality, utility and clarity of the information collection; and (4) ways to minimize the burden of the collection of information on those who are to respond, including the use of automated collection techniques or other forms of information technology.

Dated: January 28, 2013.  
**Kimberly D. Bose,**  
*Secretary.*  
 [FR Doc. 2013-02240 Filed 2-1-13; 8:45 am]  
**BILLING CODE 6717-01-P**

**DEPARTMENT OF ENERGY**  
**Federal Energy Regulatory Commission**

[Project No. 2351-017]

**Public Service Company of Colorado; Notice of Application Accepted for Filing, Soliciting Motions To Intervene and Protests, Ready for Environmental Analysis, and Soliciting Comments, Recommendations, Preliminary Terms and Conditions, and Preliminary Fishway Prescriptions**

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection.

- a. *Type of Application:* New Major License.
- b. *Project No.:* 2351-017.
- c. *Date Filed:* February 27, 2012.
- d. *Applicant:* Excel Energy Services, Inc. on behalf of Public Service Company of Colorado.
- e. *Name of Project:* Cabin Creek Pumped Storage Project.
- f. *Location:* The existing project is located on the South Clear Creek and its tributary Cabin Creek in Clear Creek County, Colorado. The project, as currently licensed, is located on 267 acres of U.S. Forest Service lands within the Arapahoe National Forest.
- g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791 (a)-825(r).
- h. *Applicant Contact:* Christine E. Johnston, Xcel Energy, 4653 Table Mountain Drive, Golden, CO 80403; (720) 497-2156.
- i. *FERC Contact:* David Turner, (202) 502-6091.
- j. *Deadline for filing motions to intervene and protests, comments,*

<sup>1</sup> FPA section 216(b)(1)(C).

<sup>2</sup> However, the Commission will not issue a permit authorizing construction of the proposed facilities until, among other things, it finds that the state has, in fact, withheld approval for more than a year or had so conditioned its approval.

<sup>3</sup> In all other instances (i.e. where the state does not have jurisdiction to act or otherwise to consider

interstate benefits, or the applicant does not qualify to apply for a permit with the State because it does not serve end use customers in the State), the pre-filing process may be commenced at any time.

<sup>4</sup> Burden is defined as the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. For further

explanation of what is included in the information collection burden, reference 5 Code of Federal Regulations 1320.3.

<sup>5</sup> 2080 hours/year = 40 hours/week \* 52 weeks/year

<sup>6</sup> Average annual salary plus benefits per employee in 2012.

recommendations, preliminary terms and conditions, and preliminary prescriptions: 60 days from the issuance date of this notice; reply comments are due 105 days from the issuance date of this notice.

Motions to intervene, protests, comments, recommendations, preliminary terms and conditions, and preliminary fishway prescriptions may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site <http://www.ferc.gov/docs-filing/efiling.asp>. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments. For assistance, please contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at 1-866-208-3676, or for TTY, (202) 502-8659. Although the Commission strongly encourages electronic filing, documents may also be paper-filed. To paper-file, mail an original and seven copies to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426.

The Commission's Rules of Practice require all intervenors filing documents with the Commission to serve a copy of that document on each person on the official service list for the project. Further, if an intervenor files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency.

k. This application has been accepted for filing and is now ready for environmental analysis.

l. *The Project Description:* The existing project includes the following facilities: (1) A 210-foot-high, 1,458-foot-long concrete-faced rockfill Upper Dam across Cabin Creek; (2) a 25.4 acre upper reservoir with 1,087 acre-feet of usable storage between the maximum operating elevation of 11,196 feet mean sea level (msl) and the minimum operating elevation of 11,140 feet msl; (3) a 95-foot-high, 1,195-foot-long earthfill and rockfill Lower Dam across

South Clear Creek; (4) a 44.8-acre lower reservoir with 1,221 acre-feet of usable storage between the maximum operating elevation of 10,002 feet msl and 9,975 feet msl; (5) a 145-foot-long auxiliary spillway constructed in the embankment of the lower reservoir with a crest elevation of 10,013 feet; (6) an intake structure located near the bottom of the upper reservoir; (7) a 12 to 15-foot-diameter, 4,143-foot-long power tunnel; (8) two 75-foot-long, 8.5-foot-diameter penstocks directing flow from the power tunnel to the powerhouse turbines; (9) a powerhouse installed at the lower reservoir containing two reversible turbine-generator units rated at 150 megawatts (nameplate capacity) each; (10) a switchyard located next to the powerhouse; (11) three miles of gravel access roads; and (12) appurtenant facilities.

Cabin Creek is a pumped storage project. The normal daily operation cycle involves pumping water from the lower reservoir to the upper reservoir during off-peak periods of energy demand and generating electricity with water released from the upper reservoir during the high energy demand part of the day. Under the current license, the applicant is required to provide a continuous release from the lower reservoir of three cubic feet per second or inflow, whichever is less, to South Clear Creek.

*The applicant proposes the following changes to the project:* (1) Upgrade the pump-generation equipment; (2) raise the usable storage capacity of the upper reservoir 75 acre-feet by raising the height of the dam 4.5 feet; and (3) increase the project boundary by 59 acres.

m. A copy of the application is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's Web site at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll-free at 1-866-208-3676, or for TTY, (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

n. Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, and .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

All filings must (1) bear in all capital letters the title "PROTEST", "MOTION TO INTERVENE", "COMMENTS," "REPLY COMMENTS," "RECOMMENDATIONS," "PRELIMINARY TERMS AND CONDITIONS," or "PRELIMINARY FISHWAY PRESCRIPTIONS;" (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person protesting or intervening; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All comments, recommendations, terms and conditions or prescriptions must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). Agencies may obtain copies of the application directly from the applicant. A copy of any protest or motion to intervene must be served upon each representative of the applicant specified in the particular application. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 385.2010.

o. Procedural Schedule:

The application will be processed according to the following revised Hydro Licensing Schedule. Revisions to the schedule may be made as appropriate.

| Milestone   | Target date                 |
|---|-----------------------------|
| Ready for Environmental Analysis and Application Acceptance ..... | Thursday, January 24, 2013. |
| Comments, Interventions, recommendations, prescriptions due ..... | Wednesday, March 27, 2013.  |
| Requests 401 Certification .....                                  | Monday, March 25, 2013.     |
| Reply Comments due .....  | Thursday, May 09, 2013.     |
| Issue single EA .....   | Wednesday, July 24, 2013.   |
| Comments on EA due .....  | Friday, August 23, 2013.    |

| Milestone                                     | Target date                  |
|---|------------------------------|
| Modified 4(e) and Fishway Prescriptions ..... | Wednesday, October 23, 2013. |

p. Final amendments to the application must be filed with the Commission no later than 30 days from the issuance date of this notice.

q. A license applicant must file no later than 60 days following the date of issuance of the notice of acceptance and ready for environmental analysis provided for in 5.22: (1) A copy of the water quality certification; (2) a copy of the request for certification, including proof of the date on which the certifying agency received the request; or (3) evidence of waiver of water quality certification.

Dated: January 25, 2013.

**Kimberly D. Bose,**  
Secretary.

[FR Doc. 2013-02241 Filed 2-1-13; 8:45 am]

BILLING CODE 6717-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

[Project No. 2785-081]

#### Boyce Hydro Power, LLC; Notice of Application Accepted for Filing, Soliciting Motions To Intervene, Protests, and Comments

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Amendment to License.

b. *Project No:* 2785-081.

c. *Date Filed:* September 11, 2012.

d. *Applicant:* Boyce Hydro Power, LLC.

e. *Name of Project:* Sanford Hydroelectric Project.

f. *Location:* On the Tittabawassee River in Midland County, Michigan.

g. *Filed Pursuant to:* Federal Power Act, 16 U.S.C. 791(a)-825(r).

h. *Applicant Contact:* Lee W. Mueller, Boyce Hydro Power, LLC, 6000 S. M-30, Edenville, MI 48620, (989) 689-3161.

i. *FERC Contact:* B. Peter Yarrington, (202) 502-6129 or [peter.yarrington@ferc.gov](mailto:peter.yarrington@ferc.gov).

j. Deadline for filing motions to intervene, protests, and comments is 15 days from the issuance date of this notice.

All documents may be filed electronically via the Internet. See 18 CFR 85.2001(a)(1)(iii) and the instructions on the Commission's Web

site at <http://www.ferc.gov/docs-filing/efiling.asp>. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and seven copies should be mailed to: The Secretary, Federal Energy Regulatory Commission, 888 First Street NE., Washington, DC 20426. Commenters can submit brief comments up to 6,000 characters, without prior registration, using the eComment system at <http://www.ferc.gov/docs-filing/ecomment.asp>. You must include your name and contact information at the end of your comments.

Please include the project number (P-2785-081) on any motions, protests, or comments filed.

k. *Description of Application:* The licensee proposes to replace one of the project's three existing turbine/generator units with a new unit. The project's maximum hydraulic capacity would remain the same but the new unit would be able to operate over a greater range of flows and the licensee intends to release the required minimum flow through this unit rather than over the spillway. The proposal would raise the project's total installed capacity from 3,300 to 3,600 kilowatts.

l. *Locations of the Application:* A copy of the application is available for inspection and reproduction at the Commission's Public Reference Room, located at 888 First Street NE., Room 2A, Washington, DC 20426, or by calling (202) 502-8371. This filing may also be viewed on the Commission's Web site at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number excluding the last three digits in the docket number field to access the document. You may also register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, call (866) 208-3676 or email [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov), for TTY, call (202) 502-8659. A copy is also available for inspection and reproduction at the address in item (h) above.

m. Individuals desiring to be included on the Commission's mailing list should so indicate by writing to the Secretary of the Commission.

n. *Motions to Intervene, Protests, and Comments:* Anyone may submit a motion to intervene, protest, or comments in accordance with the requirements of Rules of Practice and

Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any motions to intervene, protests, or comments must be received on or before the specified comment date for the particular application.

o. *Filing and Service of Responsive Documents:* Any filing must: (1) Bear in all capital letters the title "MOTION TO INTERVENE," "PROTEST," or "COMMENTS" as applicable; (2) set forth in the heading the name of the applicant and the project number of the application to which the filing responds; (3) furnish the name, address, and telephone number of the person intervening, protesting, or commenting; and (4) otherwise comply with the requirements of 18 CFR 385.2001 through 385.2005. All motions to intervene, protests, or comments must set forth their evidentiary basis and otherwise comply with the requirements of 18 CFR 4.34(b). All motions to intervene, protests, or comments should relate to project works which are the subject of the application. Agencies may obtain copies of the application directly from the applicant. A copy of any motion to intervene or protest must be served upon each representative of the applicant specified in the particular application. If an intervener files comments or documents with the Commission relating to the merits of an issue that may affect the responsibilities of a particular resource agency, they must also serve a copy of the document on that resource agency. A copy of all other filings in reference to this application must be accompanied by proof of service on all persons listed in the service list prepared by the Commission in this proceeding, in accordance with 18 CFR 4.34(b) and 18 CFR 385.2010.

Dated: January 24, 2013.

**Kimberly D. Bose,**  
Secretary.

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